

*in the news*[home](#) [site search](#) [org chart](#) [contact us](#) [web comments](#)

keeping CURRENT

**Working together to bridge the
Columbia's cultures**

July 1999

[other *keeping Current* publications](#)

The Columbia River is the thread that stitches together a vast and ancient landscape. It originates in the Canadian mountains, flows through dry steppes, carves its way through basalt cliffs and sweeps into the ocean through the hills of a temperate rain forest.

The river touches all the region's people now as it has for generation on generation. It touched the ancient people who were in the Pacific Northwest long before Captain Robert Gray "discovered" the Columbia River in 1792. It touched their descendants when they helped Lewis and Clark in 1805-1806. It is the enduring soul of the region and has drawn people to its waters since time immemorial.

The Bonneville Power Administration sells power from 29 federal dams along the Columbia and its tributaries and sends that power over high-voltage lines that crisscross the region. As a public agency with deep ties to the Columbia River and the region, BPA feels a responsibility to acknowledge the sovereign status of the Americans native to the Columbia River Basin and BPA's relationship with them.

Tribal Policy

BPA's formal relationship with the tribes in its service area is spelled out in the BPA Tribal Policy signed by former Administrator Randy Hardy in April 1996. (For a copy of the BPA Tribal Policy, see [below](#).)

The policy is straightforward: “The purpose of this policy is to outline the foundation of BPA’s trust responsibility as a federal agency and to provide a framework for a government-to-government relationship with the federally recognized Columbia Basin Tribes.”

Tribal representatives have cited the policy as a model for cooperation between a federal agency and tribal governments because BPA involved the tribes in its development. BPA did not unilaterally declare the policy. At the time of the signing, John Smith, BPA’s tribal program coordinator and a member of the Confederated Tribes of the Colville Reservation, observed: “The tribal policy includes input from many of the tribes. We met with the tribes several times over a two-year period, listened to their views and concerns and incorporated language they recommended directly into the document.”

Government-to-government relationship

Smith explains the government-to-government relationship this way: “BPA must treat the tribes like governments. Because of the treaties signed with the U.S. government, the tribes are classified as sovereign nations.”

Each tribe has a governmental structure and each expects to be given the kind of recognition the states are accorded. As with the states, there are limits on their sovereignty — the tribes are, for example, subject to Congress. Still, the Tribal Policy acknowledges BPA’s recognition of tribal government sovereignty and establishes a framework for developing protocols for how BPA and the tribes should relate to each other.

BPA has committed to consult with the tribes before taking actions that affect tribal resources. And consultation will take place at the appropriate levels — technical discussions will take place with tribal technical staffs, but any policy decisions will include consultations with appropriate representatives of the affected tribal government.



BPA’s new administrator, Judi Johansen, who was sworn in during June 1998, reaffirmed the agency’s commitment to tribal relations and has begun meeting with the tribal governments on their reservations. She began with the Confederated Tribes of the Warm Springs Reservation last fall and has committed to further high-level meetings with other tribal governments. Recently, she has visited the Burns Paiute Tribe of the Burns Paiute Indian Colony, the Confederated Tribes of the Colville Reservation, the Shoshone-Paiute Tribes of the Duck Valley Reservation, the Shoshone-Bannock Tribes of the Fort Hall Reservation, the Confederated Tribes of the Umatilla Reservation, the Yakama Nation, the Confederated Salish and Kootenai Tribes of the Flathead Reservation and the Nez Perce Tribe.

Trust relationship

Trust responsibility adds to the complexity of the relationship between BPA and tribal governments. To cite the BPA Tribal Policy: “BPA recognizes that a trust responsibility derives from the historical relationship between the federal government and the tribes as expressed in treaties, statutes, executive orders and federal Indian case law. Using these legal under-pinnings, BPA and the Tribes will work cooperatively to arrive at an understanding of how the trust responsibility applies to a government-to-government relationship.”



It is clear that the executive branch of the federal government intends a trust relationship with the tribes. How that intent applies to specific relationships between

BPA and individual tribes is not spelled out. Hence the need to continually define the relationship and to rely on government-to-government discussions between tribal and federal leaders and on close cooperation between tribal and BPA organizations.

Specific areas of interest to both tribes and BPA include fish and wildlife programs, cultural resource protection and energy deregulation.

Fish and wildlife programs

BPA's link to the tribes was reinforced by the 1980 Northwest Power Act that gave BPA responsibility to mitigate for damage done to fish and wildlife by the construction and operation of the Federal Columbia River Power System. While BPA's Tribal Policy mentions the 13 Columbia Basin tribes affected by the hydro system, BPA, as a practical matter, applies the policy to its relations with all federally recognized tribes in its service area.

BPA provides funding for hundreds of tribal activities, from tribal hatcheries to habitat rehabilitation, designed to mitigate for damage done to salmon and steelhead runs. BPA's funding is much broader than that — it includes protection for resident fish (those that do not migrate to the ocean) and wildlife. For instance, BPA is working with the Kootenai Tribe of Idaho to help white sturgeon spawn in the Kootenai River below Libby Dam and with the Colville and Spokane tribes to establish fisheries in Lake Roosevelt above Grand Coulee Dam to replace the salmon runs blocked by the dam.

While BPA is engaged in hundreds of wildlife programs of all sizes, from protecting sharp-tailed grouse in the arid grasslands of central Washington to providing habitat for bear and elk in the mountains of Idaho, the activities that get the most attention have been large purchases of habitat for which BPA provided the funding. Those purchases include 10,500 acres in Northeast Oregon with the Nez Perce, 16,500 acres of low-elevation habitat on the Colville Reservation and 2,570 acres for Wanaket (formerly the Conforth Ranch) on the Columbia, which is being managed by the Umatilla Tribe.



The purchases allow BPA to meet its obligation to mitigate for habitat losses. Because BPA prefers not to be in the habitat management business, the purchases make for a natural partnership with the tribes that, in many cases, regain management responsibility over what was ancestral land. BPA has similar habitat management agreements with states and federal agencies.

Traditionally, tribes view fish, wildlife and the land as much more than a natural resource; they are a cultural resource having great spiritual significance.

Smolts are released from the Parkdale Fish Facility south of Hood River, Ore. The Warm Springs Tribe manages the facility.

Cultural resources

The Federal Columbia River Power System and BPA's transmission system touch vast expanses of land

formerly occupied solely by Indian tribes. Evidence of that occupation ranges from seasonal fishing camps to pictographs to burial grounds. Important locations include traditional food gathering locations, ceremonial sites and sacred mountains. BPA has the legal and ethical responsibility to consult with the region's tribes over any agency activity that might affect a site with cultural value.

Some of those cultural resources activities are related to large-scale activities such as reservoir drawdowns for salmon and steelhead recovery efforts and for power and flood control purposes. Fluctuating reservoir levels and the erosion that accompanies the fluctuations can expose and destroy cultural resources and increase the opportunity for vandalism. At these locations, BPA works with the tribes and other agencies to survey and protect affected cultural resources. For example, BPA participates with the Yakama Indian Nation, the Confederated Tribes of the Warm Springs Reservation, the Confederated Tribes of the Umatilla Indian Reservation, the Nez Perce Tribe, the U.S. Forest Service and the U.S. Army Corps of Engineers in a group called Wanapa Koot Koot to identify and manage cultural resources affected by the reservoir operations behind Bonneville, John Day and The Dalles dams. Similar planning groups currently exist for all federal facilities.



On a smaller scale, BPA works with individual tribes on such matters as excavating for transmission tower footings and performing vegetation management in order not to disturb an archeological resource or destroy the native plants that tribal members gather for food, medicine and ceremonial use.

BPA's transmission lines touch many tribes' lands. For decades, the BPA and the tribes have negotiated easements and rights-of-way. Those negotiations continue as BPA and tribal needs change. BPA is currently working with some tribes to move

transmission lines and to sell substations. It is all part of a joint effort to meet the needs of both groups.

BPA recognizes that operating the power system continues to affect cultural and historic resources. BPA has joined other federal agencies and the tribes in taking action to protect these resources. Here tribal employees screen for artifacts at a test site behind Dworshak Dam.

Electricity industry deregulation

BPA's Power Business Line has become increasingly involved with the region's tribes as the electric power industry has moved toward deregulation. BPA stands ready to respond to tribal requests for information and assistance in sorting out their options in the deregulated world.

In August 1998, BPA cosponsored a two-day conference "Energy Deregulation: Opportunities for Tribes" in Spokane, Wash., that drew representatives from as far as Maine, New Mexico and Texas. Tribal and nontribal representatives gathered to discuss national and regional energy deregulation trends, potential impacts on tribal sovereignty and potential opportunities for tribal energy-related businesses. Tribal groups are now in a position to consider establishing themselves as public utilities that can purchase public power.



BPA's Power Business Line recently awarded the Economic Development Corp. of the Affiliated Tribes of Northwest Indians (ATNI-EDC) a \$200,000 grant and access to BPA technical expertise to help the affiliated tribes assess their economic opportunities under energy deregulation. ATNI-EDC has hired an

energy coordinator to work with tribal representatives, local utilities and BPA to develop energy profiles that include comprehensive overviews of current energy use on individual reservations. The coordinator is also planning a series of educational workshops in which the tribes will learn about the energy industry, energy transactions, public and private utility operations and renewable resources.

The Affiliated Tribes of Northwest Indians has been serving the regional interests of over 50 member tribes in the Pacific Northwest for the past 40 years. The Economic Development Corp. was established in 1996.

Integrating the Tribal Policy in the corporate culture

BPA understands that having a policy is not enough; the real issue is integrating tribal views into daily work.

BPA has had a tribal program for years, but it was strengthened and expanded with the adoption of the Tribal Policy. The agency created its tribal relations staff to assure that tribal members and BPA employees could identify individuals at BPA assigned to work with tribal governments. The tribal relations manager and staff members offer classes for employees to assure that they understand the tribal policy and their responsibilities as representatives of the federal government. They also hold cultural awareness workshops for both tribal members and BPA employees and work with individual programs to connect BPA policy makers, managers and staff with their tribal colleagues.



The commitment doesn't stop there. Employee financial incentives are linked in part to tribal satisfaction. Each year, an independent consultant conducts a telephone survey of tribal representatives to evaluate how well BPA is performing on a list of questions developed by the tribes. In each of the three years of the survey, BPA's performance has improved. The tribes are very positive about BPA's tribal relations staff and give the agency high marks for asking tribal governments for their views. There is, however, still work to be done. For instance, the tribes would like to see BPA staff, as a whole, more consistent in its sensitivity to tribal culture, issues and concerns, and they would like the agency to implement tribal views more frequently.

BPA executives are committed to continuing to develop the agency's relationships with the tribes. The key to making improvements, according to Smith, is "understanding the needs and values of the tribes." But, he says, "The tribes also must understand BPA's values."

That is where collaboration and mutual respect come in. Smith and the tribal liaisons stand right in the middle, acting as diplomats to assure that mutual understanding is reached.



Officials of BPA and the Economic Development Corp. of Affiliated Tribes of Northwest Indians launched a partnership in 1998 to enhance economic opportunities that deregulation may offer tribal governments.

For More Information

To get a copy of the BPA Tribal Policy, call BPA's Public Information Center at (503) 230-7334 in Portland or the toll-free document request line at 1-800-622-4520 or visit BPA's

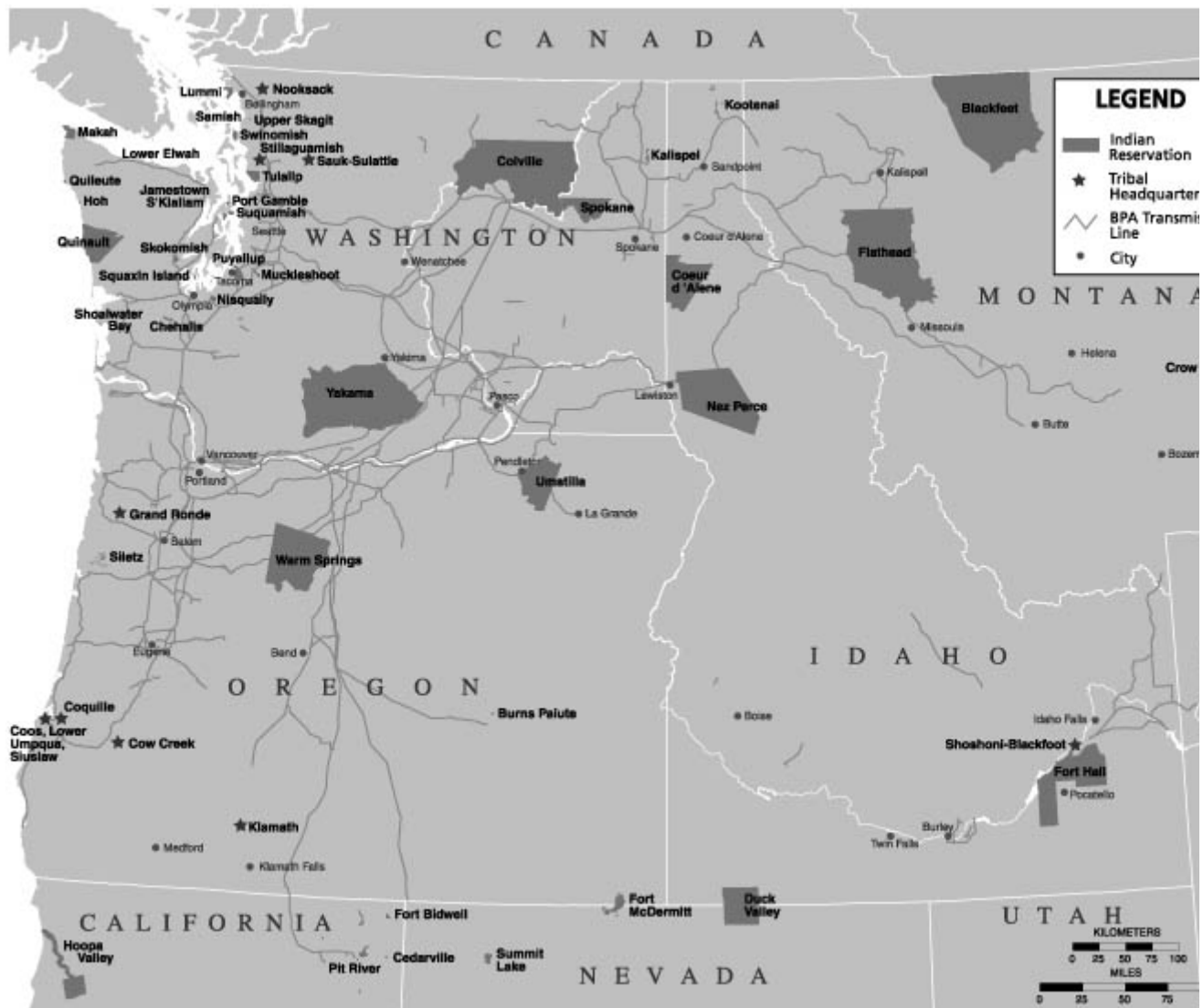


Web site at <http://www.bpa.gov/Corporate/KT/ktx.htm>.

If you have questions, contact one of the following members of BPA's tribal staff:

- **John Smith** (Spokane) Tribal Relations manager: (509) 358-7449
- **Patricia Tawney** (Portland): (503) 230-4315
 - Toll Free: (800) 282-3713
- **Darrell Eastman** (Portland): (503) 230-3869
 - Toll Free: (800) 282-3713
- **Bob Shank** (Spokane): (509) 358-7357

Tribal Reservations & Headquarters in BPA's Service Area



1. Blackfoot Tribe of the Blackfoot Indian Reservation
2. Burns Paiute Tribe of the Burns Paiute Indian Colony
3. Cedarville Rancheria of the Northern Paiute Indians
4. Coeur d'Alene Tribe of the Coeur d'Alene Reservation

5. Confederated Salish & Kootenai Tribes of the Flathead Reservation
6. Confederated Tribes of the Chehalis Reservation
7. Confederated Tribes of the Colville Reservation
8. Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians
9. Confederated Tribes of the Grand Ronde Community
10. Confederated Tribes of the Siletz Reservation
11. Confederated Tribes of the Umatilla Reservation
12. Confederated Tribes of the Warm Springs Reservation
13. Coquille Tribe
14. Cow Creek Band of Umpqua Indians
15. Crow Tribe
16. Fort Bidwell Indian Community of Paiute Indians of the Fort Bidwell Reservation
17. Fort McDermitt Paiute and Shoshone Tribes of the Fort McDermitt Indian Reservation
18. Hoh Indian Tribe of the Hoh Indian Reservation
19. Hoopa Valley Tribe of the Hoopa Valley Reservation
20. Jamestown S'Klallam Tribe
21. Kalispel Indian Community of the Kalispel Reservation
22. Klamath Indian Tribe
23. Kootenai Tribe
24. Lower Elwha Tribal Community of the Lower Elwha Reservation
25. Lummi Tribe of the Lummi Reservation
26. Makah Indian Tribe of the Makah Indian Reservation
27. Muckleshoot Indian Tribe of the Muckleshoot Reservation
28. Nez Perce Tribe
29. Nisqually Indian Tribe of the Nisqually Reservation
30. Nooksack Indian Tribe
31. Northwestern Band of Shoshoni Nation (Washakie)
32. Pit River Tribe (includes Big Bend, Lookout, Montgomery Creek and Roaring Creek Rancherias, and XL Ranch)
33. Port Gamble Indian Community of the Port Gamble Reservation
34. Puyallup Tribe of the Puyallup Reservation
35. Quileute Tribe of the Quileute Reservation
36. Quinault Tribe of the Quinault Reservation
37. Samish Indian Tribe
38. Sauk-Suiattle Indian Tribe
39. Shoalwater Bay Tribe of the Shoalwater Bay Indian Reservation
40. Shoshone-Bannock Tribes of the Fort Hall Reservation
41. Shoshone-Paiute Tribes of the Duck Valley Reservation
42. Skokomish Indian Tribe of the Skokomish Reservation
43. Spokane Tribe of the Spokane Reservation
44. Squaxin Island Tribe of the Squaxin Island Reservation
45. Stillaguamish Tribe
46. Summit Lake Paiute Tribe
47. Suquamish Indian Tribe of the Port Madison Reservation
48. Swinomish Indians of the Swinomish Reservation
49. Tulalip Tribes of the Tulalip Reservation
50. Upper Skagit Indian Tribe
51. Yakama Nation

Tribal interest often extend beyond reservation or headquarter boundaries including ceded areas, histo

areas, fishing sites, sacred areas and unclaimed lands where they have hunting and gathering rights.

Bonneville Power Administration
P.O. Box 3621 Portland, Oregon 97208-3621
DOE/BP-3191 July 1999 13M

This *keeping Current* was created on August 3, 1999 by [BPA Communications](#), (503) 230-5289.
